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2851

Atsney Docket No. 01828/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Fumiyuki SHIRATANI
Serial No. : 10/022,864
Filed : December 18, 2001
For : 3D IMAGE ACQUISITION
APPARATUS AND 3D IMAGE
ACQUISITION METHOD
Art Unit : 2851
Examiner :

**INFORMATION DISCLOSURE STATEMENT
AND
STATEMENTS UNDER 37 CFR 1.97(e)
AND 37 C.F.R. 1.704(d)**

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

Submitted herewith are:

- (1) Copy of a communication (Search Report) issued from a foreign patent office in a counterpart European application;
- (2) Copies of the cited publications; and
- (3) Forms PTO/SB/08A and PTO/SB/08B. It is requested that initialed copies of the Forms PTO/SB/08A and PTO/SB/08B be returned to indicate that the publications listed therein have been considered and made of record.

Said communication is in English, thereby satisfying requirements for a concise explanation of relevance for any non-English language documents cited therein (MPEP 609 III A(3)).

STATEMENT UNDER 37 CFR 1.97(e) (1)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a

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[Signature]
S. Branne Franklin

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

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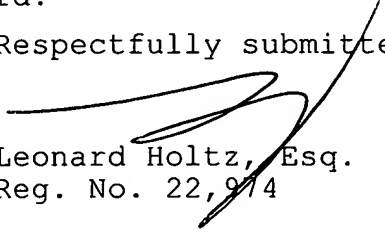
foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of February 4, 2002. Therefore, the filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(e) and does not require a fee.

STATEMENT UNDER 37 CFR 1.704(d)

Each item of information contained in this Information Disclosure Statement was cited in said communication from a foreign patent office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the present Information Disclosure Statement. The European Search Report was received on March 1, 2002 by applicant's Japanese attorneys, which are the "person" believed to be designated in 37 C.F.R. 1.65(c), and thus was not received by him or her more than thirty days prior to the filing date of this Information Disclosure Statement.

It is respectfully requested that the attached publications be considered and made of record.

Respectfully submitted,


Leonard Holtz, Esq.
Reg. No. 22,974

Dated: March 18, 2002

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PTO/SB/08A (08-00)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|---|---|----|----------------------|------------------------|--------------------|----------|
| Substitute for Form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | Application Number | | 10/022,864 | |
| | | | Filing Date | | December 18, 2001 | |
| | | | First Named Inventor | | Fumiyuki SHIRATANI | |
| | | | Group Art Unit | | 2851 | |
| | | | Examiner Name | | | |
| Sheet | 1 | of | 1 | Attorney Docket Number | | 01828/LH |

U.S. PATENT DOCUMENTS

| Exam. Inits [*] | Cite No ¹ | Document Number | Kind Code ² | Name of Patentee or Applicant | Publication Date MM-DD-YYYY | Relevant Portion |
|-----------------------------|-------------------------|-----------------|---------------------------|----------------------------------|--------------------------------|---------------------|
| | | 5,615,003 | | HERMARY et al | 03-25-1997 | |
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FOREIGN PATENT DOCUMENTS

| Exam Inits [*] | Cite No ¹ | Offc ³ | Document Number ⁴ | Kind Code ⁵ | Name of Patentee or Applicant | Publication Date MM-DD-YYYY | Relevant Portion | T ⁶ |
|----------------------------|-------------------------|-------------------|------------------------------|---------------------------|----------------------------------|--------------------------------|---------------------|----------------|
| | | DE | 44 15 834 | A1 | BREUCKMANN GmbH | 11-09-1995 | | |
| | | DE | 197 38 179 | C1 | BERNWARD MAEHNER | 05-12-1999 | | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Place a check here if English translation is attached.

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | Filing Date | December 18, 2001 |
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| | | Group Art Unit | 2851 |
| Sheet 1 of 1 | | Examiner Name | |
| | | Attorney Docket Number | 01828/LH |
| OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS | | | |
| Examiner Initials ¹ | Cite No. ¹ | Include name of author (in CAPITAL LETTERS), title of article, title of item, date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
| | | <p>C. WUST et al: "SURFACE PROFILE MEASUREMENT USING COLOR FRINGE PROJECTION", Machine Visions and Applications, Springer Verlag, DE, Vol. 4, No. 3, pages 193-203, XP002114480, ISSN: 0932-8092, pages 194-196, Figures 3-5, 10.</p> <p>J. TAJIMA et al: "3-D DATA ACQUISITION BY RAINBOW RANGE FINDER", Proceedings of the International Conference on Pattern Recognition, Atlantic City, U.S., June 16-21, 1990. CONFERENCE A: COMPUTER VISION AND CONFERENCE B: PATTERN RECOGNITION SYSTEMS AND APPLICATIONS, Los Alamitos, IEEE Comp. Soc. Press, U.S., Vol. Vol. 1 XP000166402 ISBN: 0-8186-2062-5 - entire document.</p> | |
| Examiner Signature | | Date Considered | |

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